

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

CHRISTOPHER L. SMITH, SR.,	:	
	:	NO. 1:12-CV-00924
Plaintiff,	:	
	:	
	:	
v.	:	<b>ORDER</b>
	:	
	:	
KENNETH L. LAWSON, II,	:	
	:	
Defendant.	:	

This matter is before the Court on the Magistrate Judge's Report and Recommendation (doc. 4), in which she recommends that Plaintiff's complaint be dismissed for failure to plead complete diversity and for failure to state a claim.

Proper notice was given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. United States v. Walters, 638 F.2d 947 (6th Cir. 1981). As of the date of this Order, no objections have been filed.

Having reviewed this matter pursuant to 28 U.S.C. § 636, the Court finds the Magistrate Judge's Report and Recommendation thorough, well-reasoned, and correct.

Accordingly, the Court hereby ADOPTS and AFFIRMS the

Magistrate Judge's Report and Recommendation (doc. 4) in all respects. Plaintiff's complaint (doc. 3) is therefore DISMISSED WITH PREJUDICE and this matter is closed on the Court's docket. The Court further CERTIFIES that an appeal of this Order would not be taken in good faith.

SO ORDERED.

Dated: February 15, 2013      s/S. Arthur Spiegel\_\_\_\_\_  
S. Arthur Spiegel  
United States Senior District Judge